

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OCLC, Inc.,

Plaintiff,

v.

CLARIVATE, PLC, *et al.*,

Defendants.

Case No. 2:22-cv-2470-JLG-KAJ

Judge James L. Graham

Magistrate Judge Kimberly A. Jolson

**JOINT MOTION TO CONVERT TEMPORARY RESTRAINING ORDER TO
PRELIMINARY INJUNCTION AND VACATE PRELIMINARY INJUNCTION
HEARING**

Pursuant to Rule 65(a)(2)(b) of the Federal Rules of Civil Procedure and for good cause, Plaintiff OCLC, Inc. and Defendants Clarivate, PLC, Clarivate Analytics (US) LLC, ProQuest LLC, and Ex Libris (USA), Inc. (collectively, the “Parties”) jointly request that the Court convert the temporary restraining order entered on June 27, 2022 (ECF No. 30) into a preliminary injunction and vacate the hearing on Plaintiff’s Motion for Preliminary Injunction, which is currently set for September 20-21, 2022, consolidating the hearing on a permanent injunction with the ultimate trial on the merits. The Parties request this relief in the interests of judicial economy and furtherance of their ongoing efforts to resolve this matter.

On or around July 22, 2022, the Parties indicated a mutual desire to arrange a conference between high-level representatives of the Parties to explore a potential settlement of the Parties’ dispute. The Parties ultimately held that conference on August 11, 2022 and have thereafter been working to find a negotiated resolution of this matter. While it remains unclear whether the Parties will ultimately be able to resolve this matter via settlement, the Parties agree that the best

course of action is to convert the existing temporary restraining order into a preliminary injunction and to vacate the preliminary injunction hearing currently set for September 20-21, 2022.

The Parties request that the Court set a scheduling conference at its convenience during the week of October 10, 2022. The Parties will jointly submit a proposed case schedule three days before the scheduling conference.

A proposed order granting this motion is attached for the Court's convenience.

Respectfully submitted,

/s/ Traci L. Martinez

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this document was served via the Court's CM/ECF system on September 16, 2022 and has thus been served automatically on all counsel of record.

/s/ Rachael L. Rodman

Trial Attorney for Defendants